

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:

REGINA H. SMITH,

Debtor.

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CASE NO. 14-70737-CRM

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CHAPTER 13

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JUDGE C. RAY MULLINS

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REGINA H. SMITH,

Objector,

vs.

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CONTESTED MATTER

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Claim number: 7

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**Portfolio Recovery Associates, LLC,
Claimant.**

**NOTICE OF REQUIREMENT OF RESPONSE TO
OBJECTION TO CLAIM OF
PORTFOLIO RECOVERY ASSOCIATES, LLC, CLAIM 3
OF DEADLINE FOR FILING RESPONSE; and OF HEARING**

PLEASE TAKE NOTICE that REGINA H. SMITH has filed an Objection to the above-referenced claim seeking an order disallowing Cavalry SPV I, LLC's claim pursuant to 11 U.S.C. § 502(b).

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief requested, or if you want the court to consider your views, then on or before May 4, 2015, you or your attorney must:

(1) File with the court a written response, explaining your positions and views as to why your claim should be allowed as filed. The written response must be filed at the following address:

Clerk, U.S. Bankruptcy Court, Room 1340, 75 Spring Street, SW, Atlanta, Georgia 30303.

If you mail your response to the Clerk for filing, you must mail it early enough so that the Clerk will **actually receive** it on or before the date stated above.

(2) Mail or deliver a copy of your written response to the Objector's attorney at the address stated below. You must attach a Certificate of Service to your written response stating when, how, and on whom (including addresses) you served the response.

If you or your attorney do(es) not file a timely response, the court may decide that you do not oppose the relief sought, in which event the hearing scheduled below may be cancelled and the court may enter an order disallowing your claim as requested without further notice and without a hearing.

If you or your attorney file(s) a timely response, then a hearing will be held in Courtroom 1203, United States Courthouse, 75 Spring Street, Atlanta, Georgia 30303, at 10:00 a.m. on June 2, 2015 10:00 am. You or your attorney must attend the hearing and advocate your position.

Dated and served this 1st day of April, 2015.

/s/ Elaine Poon
Elaine Poon Georgia Bar No. 319930
Attorney for Debtor/Movant
ATLANTA LEGAL AID SOCIETY
246 Sycamore Street, Suite 120
Decatur, Georgia 30030-3434
(770) 817-7517

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Claim number: 7

**Portfolio Recovery Associates, LLC,
Claimant.**

**OBJECTION TO PROOF OF CLAIM OF
PORTFOLIO RECOVERY ASSOCIATES, LLC**

COMES NOW REGINA H. SMITH, Debtor in the above-styled Chapter 13 case, by and through her counsel, and files this Objection to Proof of Claim of Cavalry SPV I, LLC, and shows this Honorable Court the following:

1.

The Debtor filed the instant Chapter 13 proceeding on October 20, 2014.

2.

The deadline for filing proofs of claim for creditors other than a governmental unit was March 2, 2015. The deadline for filing proofs of claim for governmental units is April 20, 2015.

3.

On February 26, 2015, Cavalry SPV I, (“Cavalry”) filed a claim for \$636.30, identified as Claim 7.

4.

Debtor objects to this claim on the basis that Cavalry did not attach sufficient documentation of the debt that shows that it owns the alleged debt.

WHEREFORE, Debtor respectfully requests that the Court enter an Order:

- (a) sustaining her Objection;
- (b) disallowing Claim 7 filed by Cavalry SPV I, LLC;
- (c) granting such other relief as this Court deems appropriate.

Respectfully submitted this 1st day of April 2015,

/s/ Elaine Poon
Elaine Poon
Georgia Bar No. 321308
Attorney for Debtor
ATLANTA LEGAL AID SOCIETY
151 Spring Street, NW
Atlanta, GA 30303
(404) 614-3947

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
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IN RE:)
REGINA H. SMITH,) CASE NO. 14-70737-CRM
Debtor.) CHAPTER 13
-----) JUDGE C. RAY MULLINS
)

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am, and at all times hereinafter mentioned, was more than 18 years of age, and that I have this day served the following parties with a copy of the within OBJECTION TO PROOF OF CLAIM BY PORTFOLIO RECOVERY ASSOCIATES, LLC by placing true copies of same in a properly addressed envelope with adequate postage thereon and depositing same in the United States Mail:

Nancy J. Whaley
Nancy J. Whaley, Trustee
303 Peachtree Center Avenue NE
Suite 120, Suntrust Plaza Garden
Atlanta, GA 30303

Cavalry SPV I
c/o Bass & Associates, PC
3936 E. Ft. Lowell Road, Suite 200
Tuscon, AZ 85712

This 1st day of April, 2015.

/s/ Elaine Poon
Elaine Poon
Georgia Bar No. 321308
Attorney for Debtor
ATLANTA LEGAL AID SOCIETY
151 Spring Street, NW
Atlanta, GA 30303
(404) 614-3947